

MURIEL B. KAPLAN, ESQ. (Bar No. 124607)
 MICHELE R. STAFFORD, ESQ. (Bar No. 172509)
 SALTZMAN & JOHNSON LAW CORPORATION
 120 Howard Street, Suite 520
 San Francisco, CA 94105
 Telephone: (415) 882-7900
 Facsimile: (415)882-9287
 mkaplan@sjlawcorp.com
 mstafford@sjlawcorp.com

Attorneys for Plaintiffs,
 BAY AREA PAINTERS AND TAPERS
 PENSION FUND, et al.

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

BAY AREA PAINTERS AND TAPERS)	CASE NO.: C 06-4627 MHP
PENSION FUND, et al.; _____)	
_____)	REQUEST FOR CONTINUANCE OF
_____ Plaintiffs,)	CASE MANAGEMENT
)	CONFERENCE
v.)	
)	
SPIROS D. VASILATOS individually and dba)	
SPIROS D. VASILATOS PAINTING, BLUE)	
SKIES PAINTING, a California Partnership,)	
)	
_____ Defendants.)	

Plaintiffs hereby request that the Case Management Conference, currently scheduled for January 29, 2007, be continued for approximately 60 days.

The defendants in this action have failed to answer, and default has been entered. Plaintiffs were in the process of preparing a Motion for Default Judgment, when defendants expressed interest in possibly resolving this matter.

Defendants submitted declarations for Plaintiffs' review, which are to be considered by Plaintiff Trustees. The parties are in the process of discussing a possible resolution based on those declarations.

**REQUEST FOR CONTINUANCE OF
 CASE MANAGEMENT CONFERENCE
 C 06-4627 MHP**

1 In an effort to conserve fees and costs, plaintiffs have temporarily ceased preparation of the
2 Default Motion and are requesting that the Case Management Conference be continued for 60 days.
3 This matter will either be resolved by settlement, or by Motion if current negotiations prove
4 unsuccessful.

5 A 60 day continuance will allow settlement negotiations to conclude, or Plaintiffs' motion
6 to be filed. In the event that this matter is not resolved within that period, plaintiffs will file their
7 Motion for Default Judgment.

8 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above entitled
9 action, and that the foregoing is true of my own knowledge.

10 Executed this 18th day of January, 2007, at San Francisco, California.

11 SALTZMAN & JOHNSON
12 LAW CORPORATION

13
14 By: /s/
Muriel B. Kaplan
Attorneys for Plaintiffs

15
16 IT IS SO ORDERED.

17 The currently set Case Management Conference is hereby continued to March 19, 2007
18 at 4:00p.m.

19 Date: 1/19/07

20 
Marilyn Hall Patel
United States District Court Judge

21
22
23
24
25
26
27 P:\CLIENTS\PATCL\Spiros Vasilatos Audit\Pleadings\Request for Continuance of CMC 011807.wpd

28
**REQUEST FOR CONTINUANCE OF
CASE MANAGEMENT CONFERENCE
C 06-4627 MHP**

**PROOF OF SERVICE
CASE NO.: C 06-6808 CRB**

I, the undersigned, declare:

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On January 18, 2007, I served the following document(s) on the parties to this action, addressed as follows, in the manner described below:

REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE

XXX MAIL, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business address(es) set forth below, in a sealed envelope fully prepared.

— **FACSIMILE**, by causing said document to be transmitted by Facsimile machine to the number indicated after the address(es) set forth below.

— **UPS**, for delivery the following business day by placing same for collection by UPS to the business address(es) set forth below.

— **PERSONAL DELIVERY**, by placing said document in a sealed envelope and causing it to be personally delivered to the address(es) set forth below.

Addressed to:

Trevor Zink
Sweeny, Mason, Wilson & Bosomworth
983 University Avenue, Suite 104C
Los Gatos, CA 95032

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this January 18, 2007, at San Francisco, California.

_____/s/_____
Tamra Brown

**REQUEST FOR CONTINUANCE OF
CASE MANAGEMENT CONFERENCE
C 06-4627 MHP**